

United States Courts
Southern District of Texas
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

JUL 17 2023

Nathan Ochsner, Clerk of Court

United States Of America

Plaintiff

v.

Julio Cesar Gutierrez-Jaramillo

Defendant

Case No. 4:92 - CR-00270

Judge Ewing Werlein Jr.

Reply to Government's Response in
opposition to Petitioner's Motion
for Reduction of Sentence Under
U.S.C. (C)(1)(A)

Comes now, Julio Cesar Gutierrez-Jaramillo, here in after "Petitioner", acting Pro Se, and respectfully submits his reply to the government's argument in opposition to his motion for Compassionate Release Under 18 U.S.C. 3582 (C)(1)(A). This reply is primarily intended to correct certain factual prevarication's offered by the government, in an effort to mislead this Honourable Court's inquiry.

Rebuttal Argument:

1) The Government's misstatement of facts:

The Government disingenuously attempts to mislead this Court's analysis by regurgitating and convoluting certain facts on defendant's request motion. Petitioner never contended, as the Government seems to suggest, that defendant's pursuant of relief, is under medical condition of the defendant (U.S.S.G §1B1.413, commentary application note 1(A). On the contrary he is fully aware of the difference between medical and non-medical criterias. Mr. Gutierrez-Jaramillo is seeking his remedy as was revised and amended by the First Step Act of 2018 under the U.S.S.G § 1B1.413, commentary application note 1(B)(Age of the Defendant); and in addition with the non-medical circumstances of other elderly --inmates of the Federal Bureau of Prison's Program Statement NO. 5050-50, Section of (C).

(A) Age of the defendant --- The defendant (i) is at least 65 years old; (ii) is experiencing a serious deterioration in physical or mental health because of the aging process; and (iii) has served at least 10 years or 75 percent of his or her term of imprisonment, whichever is less.

Government in their response, at least conceded that the petitioner is over 70 years and has served 75% of his sentence. --- see Govt's response page 3, paragraph 5. The only bone of contention here is in the part of him "experiencing a serious deterioration in physical or mental health because of the aging process," which the government thought otherwise. The key phrase in that sentence is "serious deterioration", which the government is substituting for "debilitated medical condition", either conscious or unconsciously, thus, subverting the true meaning of the sentencing commission's language. These two key phrases are no where close to the same meaning, whichever way you look at it.

Black's Law Dictionary (Tenth Edition)

Serious --- 1) (of conduct, opinions, etc.) weighty; important < serious violation of rules >. 2) (of an injury, illness, accident, etc.) dangerous;

potentially resulting in death or other severe consequences <serious bodily harm>

Merriam-- Webster's Collegiate Dictionary (Eleventh Edition)

Deteriorate -- (Late-Latin, deterioratus, ppl of deteriorare, from Latin deterior -- worse) vb. 1) to make inferior in quality or value: IMPAIR 2) Disintegrate H- vi: to become impaired in quality, functioning or condition: DEGENERATE <allowed a tradition of academic excellence to --><his health deteriorated> -- deteriorate, Adj.

Deterioration -- n. (ca. 1658): the action or process of deteriorating: the state of having deteriorated.

Now, is either the undersigner for the government is purposely trying to obfuscate and distort, the important facts tabled by the petitioner in his compassionate release request to the court or her comprehension of English grammar, is in question. The language used by the commission in U.S.S.G. §1B1.13, cmt. n. 1(B)(ii) is as clear as day can be.

2) Government's insinuation:

The government's mis-characterization of Warden N.T. McKinney's delayed answer to the defendant's compassionate release request, is at its best, disingenuous. As a matter of fact, the warden responded within eleven (11) days of Mr. Gutierrez-Jaramillo's filing of his request. His request was filed on February 2, 2023, while the warden favourable responded on February 13, 2023 to her internal staff (the petitioner's Case Manager). The defendant was never aware, notified or given the chance to preview it, prior to the filing of this current compassionate release request to this Honourable Court. -- see exhibit H (Warden N.T. McKinney's response).

In this Warden N.T. McKinney's response (Exhibit 4), states, "based upon a review of all of the factors listed above, I find that you meet the criteria outlined in the Program Statement. You are currently 71 years of age, sentenced on July 16, 1971

2010, have been incarcerated for approximately 13 years or 75% of your term of imprisonment, and Have an established release plan in your Country of origin Colombia. This office concurs there are "extraordinary or compelling circumstances" as required by the statute to recommend the Bureau make a motion before your sentencing court seeking a reduction in sentence".

The government interpretation of Warden McKinny's intention, is clearly lacking in candor. Equating her, with her predecessor, is very affront. Government is trying to take advantage of an ill-prepared Compassionate Release request of April 20, 2020 which then, Warden T. Jusino adjudicated, to obfuscate this current request.

As this defendant had opined previously that, if BOP (Warden T. Jusino) had done her job as was required by the First Step Act (2018), to notify the petitioner of his proper qualification or eligibility under section 3582 (C)(1)(A), citing U.S.S.G § 1b1.13, cmt. note. 1(D) (other reasons) through the FBOP program Statement 5050-50 (January 17th, 2019), Section 4(C) of the non-medical circumstance of other elderly inmates. Assisted him in it's correct provision preparation, drafting and submission of his request, as this current Warden (N.T. McKinney) had just did. Mr. Gutierrez-Jaramillo, would have been home with his loved ones by now, since two years ago. -- see Pub. L. No. 115-391, §603(b), 132 stat. 5194, 5239-41 (2018) (amending 18 U.S.C. §3582); United States v Bryant, 996 F. 3d 1243 (11th Cir May 7th, 2021).

As the government had already defined "debilitated medical conditions" as being completely disabled. -- see Govt. Res. Pg. 110, para. 16. While "serious deterioration" is on the opposite fence according to the dictionary! The phrase, serious deterioration, is having important or dangerously possible of becoming worse or less value. In other words, Julio Cesar Gutierrez-Jaramillo is experiencing a dangerous possibility of becoming worse or less in value in physical or mental health due to his aging process. In a layman term, means, that his health condition

is getting worse as years progresses because of his chronic medical conditions, of which the government has already concurred with. -- see Govt. Res. Pg. 9, paragraph 15; Gutierrez-Jaramillo's medical record.

This petitioner had NEVER opined or intoned his relief request of being in debilitated medical condition or was he seeking his relief base on medical condition rather the petitioner was pointing out, his chronic medical conditions, that are getting worse due to his age the U.S.S.G. § 1b1.13, cmt. n. 1(B) provision demands. This particular provision by the sentencing commission does not demand for the applicant or inmate to be completely disable, cannot carry on any self-care, to be totally confined to a bed or chair, only capable of limited self-care or confined to a bed or chair more than 50% of waking hours, as the government is asserting in their response. Rather the provision, demands the opposite to meet its criterias or eligibilites. Once, the health deterioration is occurring or becoming worse due to the application's age. It does not matter if the applicant came into the BOP with his condition(s). And he is, at least 65 years old and had served at least 10 years or 75% of his sentence. Then, he is eligible or entitled to a remedy through this provision, period. Just like Mr. Gutierrez-Jaramillo. -- see United States v Bryant 996 F. 3d 1243 (11th Cir. May 7th, 2021) (The new second category -- "age of the defendant" -- explains that deterioration due to age is extraordinary and compelling even if it does not diminish the ability for self-care as long as the defendant is at least 65 years old and has served the lesser of 10 years or 75% of his sentence).

3) Government's Obsurantism:

Did this Undersigner for the government really think that the defendant started doing his time in the United State's soil or is she acting ignorant of the fact? AUSA Sullivan requested additional 30 days on May 4, 2023 to study and file a response to the petitioner's motion, and of which, it was granted. Most of her arguments to this current petitioner's request was generated from her predecessor's

response brief of April 23, 2020. There is no way of not seeing or reading Mr. Robert Stabe acknowledgement of the said fact. -- see April 23, 2020. Govt. Res. Pg. 6, para. 13 (In addition, the court did give the defendant credit for the time he spent in custody in Peru. The defendant argued for such a departure at the time of sentencing and the United States conceded that the BOP probably would not give the defendant credit for the time spent in a jail in Peru. The court specifically departed downward 82 months from a sentence of 292 months to 210 months to allow for time spent by the defendant in custody in Peru).

The defendant wasn't experiencing any known illness or chronic medical conditions prior to entering into United States custody on this conviction, as government had just asserted in their brief. -- see Govt. Res. Pg. 9, para. 15. Request for the defendant's arrestation for this indictment was made as early as November 29, 1995 through the INTERPOL WASHINGTON to the Peruvian Government. -- see Exhibit F. And on December 27, 1995, the defendant was arrested. see Exhibit G. It was only when this petitioner was in the Peruvian's custody on behalf of the United States to the request, do they hit him with a different charge of trafficking drugs in their own Country. He was convicted and sentenced to 15 years, of which he did finish by doing 7 plus years as their law demands. He was supposedly to be set-free on October 2, 2002. -- see Exhibit i (freedom release paper). The United States starts processing an urgent extradition order to the Peruvian government on the day of the defendant's release. -- see Exhibit J (Extradition Order Request). And it was granted on October 10, 2002. -- see Exhibit K (Extradition Assurance Document). Mr. Gutierrez-Jaramillo was under the United States Overseas's (Peru) custody from 2002 to December 23, 2009 pending extradition to the United States Prison. On that seven (7) years he was in Peruvian prison on behalf of the United States. That's when many of his chronic medical conditions developed, because of poor prison condition in those kind of Countries. AUSA Sullivan acting unaware and asserting these false narrative of the defendant entering BOP custody with those medical conditions, is

just purpostrous and absurd.

4) Government's Outrageous Request:

The government asking this Honourable Court to deny this petitioner's relief solely based on him being an "international drug trafficker" is redicilously unreasonable. This line of there argument is misleading in the sense, that it overlooks the mechanism already provided by the Sentencing Guidelines for considering drug trafficking offense conduct through the rubric of U.S.S.G. §2D1.1. -- see United States v. Ayala, 540 F. Supp. 2d 676, 679 [W.D. Va. 2008] ("To do as the government suggests, would doubly penalize [Petitioner] for his [drug trafficking]. Absent any evidence that the [sentencing guidelines] uniquely fail to reflect his actual....danger to the public", petitioner's underlying drug trafficking should not "bar reduction in sentence"). Petitioner's sentence already reflects the seriousness of his drug trafficking offense. -- see May 30, 2020, Judge Ewing Werlein, Jr's Order, Pg. 6. (At sentencing, after deducting three levels for acceptance of responsibility, Defendant's total offense level was 40 and his Criminal History Category was 1, with a Guideline range that recommended a sentence from 292 months to 365 months. The Court at sentencing granted defendant's motion for a downward departure from the correctly determined Guideline range BASED on defendant's argument at that time, that he had been detained in Peruvian prison for an extended period of time at the request of the United States. The Court thus made a downward departure of 82 months from the minimum sentence recommended for offense level 40, Criminal History Category 1, specifically to give credit for the Peruvian detention, and sentenced defendant to only 210 months on each count to run concurrently).

As the defendant has noted, his sentence already reflects the seriousness of his offense. The sentencing commission amended §2D1.1 of the Sentencing Guidelines with the enactment of Amendment 782 and made it retroactive. Which is the driving force of this honourable sentencing determination in this, and every other drug


case(s), to ameliorate what many have perceived as overly punitive sentencing for drug offenses.

The government's opposition is nothing but bitter hyperbole and vicarious disagreement with the sentencing commission's enactment of Amendment 782.

Conclusion

For these reasons Mr. Julio Cesar Gutierrez-Jaramillo humbly requests that this honourable court ignore the government's opposition response in this matter and grant him the relief he had requested in his motion for Compassionate Release under U.S.S.G. §3582 (C)(1)(A).

Respectfully submitted this 7 day of July, 2023.


Julio Cesar Gutierrez-Jaramillo
FCI Victorville #1
P.O Box 3725
Adelanto, CA 92301

CERTIFICATE OF SERVICE

This is to certify a true and correct copy of defendant Julio Cesar Gutierrez-Jaramillo's Compassionate Release brief is mailed on this 7 day of July, 2023, to the clerk of the court for filing. Please do notify and send copies to all parties who have vested interest in this matter and also, are indicated on the electronic filing.

Petitioner, Pro Se



Julio Cesar Gutierrez-Jaramillo
FCI Victorville Medium #1
P.O. Box 3725
Adelanto, CA 92301

EXHIBIT C H



Inmate Name: GUTIERREZ-JARAMILLO, Julio Cesar
Register No.: 99455-179
Unit: 5 GP

This is in response to a Request for Compassionate Release/Reduction in Sentence, based on the criteria for Other Elderly Inmates. Specifically, the request is based on Program Statement 5050.50, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. §§ 3582 and 4205(g).

Title 18 of the United States Code, section 3582(c)(1)(A), allows a sentencing court, on motion of the Director of the Bureau of Prisons (BOP), to reduce a term of imprisonment for extraordinary or compelling reasons. BOP Program Statement 5050.50, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. §§ 3582(c)(1)(A) and 4205(g), provides guidance on the types of circumstances that present extraordinary or compelling reasons, such as the inmate's terminal medical condition; debilitated medical condition; status as a "new law" elderly inmate, an elderly inmate with medical conditions, or an "other elderly inmate"; the death or incapacitation of the family member caregiver of the inmate's child; or the incapacitation of the inmate's spouse or registered partner. Your request has been evaluated consistent with the general guidance.

A review of your circumstance indicates you were sentenced to a 210-month sentence with a 5 year term of supervision for Conspiracy to Import more than 5 kilograms of Cocaine and Importation of more than 5 kilograms of Cocaine, Aiding and Abetting. You currently have a projected release date of February 21, 2025 via Good Conduct Time Release. Presently, you have a detainer with Immigration and Customs Enforcement due to your citizenship to Colombia. All detainers and holds should be resolved prior to the Warden's submission of a case under 18 U.S.C. 3582(1)(A) or 4205(g). Due to your release plan of residing in Colombia, you are not required to resolve the detainer.

Section 4 of the aforementioned Program Statement states, "4. REQUESTS BASED ON NON-MEDICAL CIRCUMSTANCES - ELDERLY INMATES

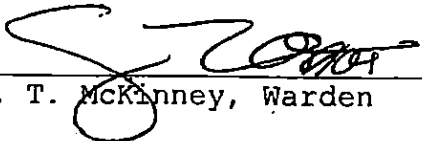
The criteria for a RIS request may include the following:

c. **Other Elderly Inmates.** Inmates age 65 or older who have served the greater of 10 years or 75% of the term of imprisonment to which the inmate was sentenced.

Based upon a review of all of the factors listed above, I find that you meet the criteria outlined in the Program Statement. You are currently 71 years of age, sentenced on July 16, 2010, have been incarcerated for approximately 13 years or 75% of your term of imprisonment, and have an established release plan in your country of origin, Colombia. This office concurs there are "extraordinary or compelling circumstances" as required by the statute to recommend the Bureau make a motion before your sentencing court seeking a Reduction in Sentence.

Your request for Compassionate Release/Reduction in Sentence is approved at this level. FCC Victorville will proceed with the process to submit your request and our concurrence for Compassionate Release/Reduction in Sentence to the Office of General Counsel. Our concurrence is not a final approval for Compassionate Release/Reduction in Sentence, please do not take this as such.

I trust this addresses your concerns.



N. T. McKinney, Warden

2/13/2023
Date

BB
EXHIBIT

CALLAO FOURTH CRIMINAL COURT

Callao, October 2, 2002

Official Communication No. 2002-03314-4JPCP

Legal Specialist: Alex Carbajal

To the Director of Penitentiary Registry

Callao

Dear Sir:

Please be so kind as to issue instructions to proceed with the IMMEDIATE RELEASE of JULIO CESAR GUTIERREZ-JARAMILLO, pursuant to the court ruling that this declared as GRANTED for the benefit of Limited Freedom in the conviction for the offense of illicit drug trafficking to the detriment of the State, while having an obligation of advising you that the beneficiary of the limited freedom would have to comply with the following rules of conduct:

- a) The beneficiary must sleep over in a residence that is subject to the control and inspection by the penitentiary authority.
- b) He must not commit any new serious offense.
- c) He must not change his place of residence without the consent of the penitentiary authority.
- d) He must report every thirty days to sign the control book.

This order shall be fully complied with at all times, unless some other detention order has been issued by a competent authority.

The cause is derived from the TID Penal Hall (746-96. Sec. Javier Zapara Garcia Rosell, Supreme Executory 746-96), presently the Benefit is assigned to Dr. Cruz Ramos 2001-003314.

Very truly,

MAY GOD BE WITH YOU

Signature



CUARTO JUZGADO PENAL DEL CALLAO

Callao, 02 de Octubre del 2002 .-

OFICIO NRO. 2002-03314-4JPC
Esp. Legal: Alex Carbajal

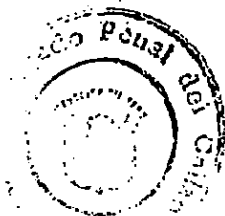
SEÑOR :
DIRECTOR DEL REGISTRO PENITENCIARIO
Presente .-

Tengo el agrado de dirigirme a Ud. a fin de que se sirva disponer lo conveniente para proceder a la **INMEDIATA LIBERTAD de JULIO CESAR GUTIERREZ JARAMILLO**, por haberlo así ordenado mi Despacho, al haberse declarado **PROCEDENTE** el Beneficio de Semi Libertad, recaída en la causa que se le siguiera por el delito de Tráfico Ilícito de Drogas en agravio del Estado, debiéndose poner en su conocimiento que deberá de cumplir las siguientes reglas de conducta: a) El beneficiado deberá de pernoctar en su domicilio estando sujeto al control e inspección de la autoridad penitenciario .- b) No Cometer nuevos delitos dolosos.- c) No variar de domicilio sin consentimiento de la autoridad penitenciario .- d) Concurrir cada treinta días a fin de firmar el libro de control respectivo; Orden que se cumplirá siempre y cuando no exista otra orden de detención emanada de autoridad competente .-

La causa proviene de la Sala Penal de TID. (746-96. Sec. Javier Zapata García Rosell, Ejecutoria Suprema 746-96), actualmente el Beneficio asignado ala Doctira Cruz Ramos 2002-03314 .

Aprovecho la oportunidad para reiterarle mis

DIOS GUARDE A UD.



Dr. RICARDO D. ALFARO PANTOR ALBE
Jefe de Sala
Cuarto Juzgado Especializado
en lo Penal - Callao

FALTA

SEP 26 '03 12:25

3329001

TO: Q85

201 81



Embassy of the United States of America
Lima, Peru

A:

Director Eder Martinez Garcia
Penal de Callao
(Fax: 453-2112)

DE:

Denise A. Roland
Cónsul

FECHA:

4 de octubre, 2002

TEMA:

URGENTE: Extradición de Julio Cesar
Gutierrez Jaramillo

NO. DE PAGINAS:

Doce (incluyendo esta hoja)

Director Martinez:

De acuerdo a lo conversado entre ~~los~~ ~~manos~~ con el Subdirector Mattos, le envío la evidencia que indica que Julio Cesar Gutierrez es sujeto de una solicitud de extradición aprobada por las autoridades judiciales peruanas. El Ministerio de Relaciones Exteriores ha acusado recibo de la nota diplomática reciente de esta Embajada, reiterando el interés del Gobierno de Estados Unidos en extraditar a Sr. Gutierrez, así de acuerdo con el tratado de extradición entre los dos países, se cumple con la Resolución Suprema adjunta.

Estoy por comunicarme con la Presidencia del INPE también, como me sugirió el Subdirector.

Muy atentamente,

Denise Roland, Consul

NEXT PL. INCHIS
8

Seal of the Department
of State of the
United States of America

Embassy of the United States of
America.
Lima, Peru

14

To: Director Edor Martinez Garcia
Penal de Callao
(Fax: 453-2112)

From: Denise A. Boland
Consul

Date: October 4th 2002

Re: Urgent, extradition of Julio Cesar Gutierrez
Jaramillo

No. of pages: 12 (including this sheet)

Director Martinez:

According to what we talked about a few minutes ago with subdirector Mattos, I'm sending you the evidence that indicates Julio Cesar Gutierrez Jaramillo is subject of an extradition approved by the Peruvian Judicial Authorities. The ministry of foreign relations has acknowledged receipt of the recent diplomatic note from this embassy, reiterating the interest of the United States to extradite Mr. Gutierrez, as such, and in accord with the extradition treaty between the two countries, it complies with the attached Supreme Resolution.

I'm about to communicate with the president of INPE too, as suggested by the subdirector.

very atentively,

Denise Boland

-2-

The Embassy understands from recent exchanges with Peruvian executive branch officials that Gutierrez Jaramillo's release may be imminent given his apparent eligibility for a reduction in sentence. *semi libertad paron*

The Embassy therefore requests that the Ministry inform the Peruvian judicial authorities that the U.S. Government maintains its interest in extraditing Gutierrez Jaramillo, and anticipates that the fugitive will remain incarcerated upon completion of his present sentence while arrangements are made to coordinate the prisoner's transfer to the United States in the company of ~~other~~ *through* Federal Marshals.

The Embassy of the United States of America takes this opportunity to renew to the Ministry of Foreign Relations of the Republic of Peru the assurances of its highest consideration.



Embassy of the United States of America,

Lima, May 30, 1992

*me extraditaron DIC. 23 - 2009
CON DOCUMENTOS FALSOS*

EXHIBIT

10-9-2 : 7:38AM :

MM RR EE-

CCITT G8: # 2

495/2

2/2/03
S. S. S. S.
S. S. S. S.

No. 1185

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Relations of the Republic of Peru and has the honor to refer to the Ministry's Note No. (LEG) 6-3/181, dated June 11, 2002, the Embassy's Note No. 475, dated May 30, 2002, and the Ministry's Note No. 6-3/03 of January 13, 1997. The Embassy respectfully wishes to express its concerns regarding recent developments relating to the extradition request of the Government of the United States of America for Colombian citizen Julio Cesar Gutierrez Jaramillo on narcotics trafficking charges.

The Ministry's Note No. 6-3/03 notified the Embassy that the Government of the Republic of Peru had granted the extradition request for Gutierrez Jaramillo by means of Supreme Resolution No. 239-96-JUS, dated December 4, 1996, in which reference was made to the Peruvian Supreme Court decision of August 15, 1996. The Note further informed the

Embassy that the surrender of the fugitive was postponed until the resolution of local narcotics trafficking charges and the completion of any imposed sentence.

DIRECTORATE OF JUSTICE

PHONE NO. :

Oct. 10 2002 11:15A

10- 8- 2 : 7:39AM :

MM RR EE- C

CCITT G3: # 3

495/3

In Note No. (LEG) 6-3/183, the Ministry acknowledged receipt of Note No. 475 and assured the Embassy that it had been transmitted to the National Directorate of Justice at the Ministry of Justice in order to be relayed to the Peruvian judicial authorities.

Therefore, the Embassy was surprised and concerned to learn from a Peruvian official on October 4, 2002 that, despite the existence of a Supreme Resolution granting the extradition, the release of Gutierrez Jaramillo in compliance with a lower court order could occur that very afternoon. Only after a lengthy series of exchanges between Embassy officials and Peruvian officials at the Ministries of Justice and Foreign Relations, National Penitentiary Institute (INPE) and Interpol did the Embassy receive explicit assurances from the Peruvian authorities that the fugitive would remain incarcerated through the upcoming four-day trial period.

The Embassy greatly appreciates the coordination between the aforementioned officials which enabled them to provide those assurances in the interests of justice.

*any questions
la abogada - in car
encuentra de la ley.*

*se comenzo en 7 dias
yo con 23 meses de la
no defaban hasta que
El Ovario fue juzgado me dio
entonces fue oregado por
lo mismo la
habian por la*

The Embassy nonetheless wishes to express its deep concern over these developments and new obstacles to

release of Gutierrez Jaramillo was signed in contravention of Peruvian judicial procedures, which oblige the court to determine that no other charges are pending against the prisoner throughout the judicial system.

The Embassy is compelled to reiterate its request that the Peruvian judicial authorities, in accordance with the

COMO PUEDE OBSERVAR BIEN CLARO DICE
QUE NO TENGO OTROS CARGOS PENDIENTES
EN MI CONTRA DENTRO DEL SISTEMA
JUDICIAL PERUANO EN LA FECHA PRESENTE
EL ORIGINAL DE ESTA Y COMPLETA ES
LO QUE NECESITO TAMBIEN PARA
QUE EL BOP ME DE EL CREDITO
DESDE OCT 2 2002. a DIC. 23 2009.
TAMBIEN NO SIRVE PUES OBAMA CLEMENCIA
EXIGE TENER 10 AÑOS CUMPLIDOS EN PRISION
SUMO DEL 2002. OCT 2 A HOY Y ME SOBRA
CON ESTA CARTA DEMUESTRO QUE DESDE 2002
ESTABA BAJO SUS ORDENES DE USA

ESTA INCOMPLETA FALTAN HOJAS
SON 12 total de esta sola carta

Oct. 10 2002 11:15AM F

10- 9- 2 : 7:39AM :

MM RR EE-

CCITT G8:# 4

- 3 -

fol-lan Hoja

Supreme Resolution, take the necessary measures to ensure that Gutierrez Jaramillo remains incarcerated, pending his extradition to the United States. The Embassy further requests to be advised in advance of the date on which the fugitive is eligible for release, so that the Embassy may coordinate his transfer to the United States with the U.S. Federal Marshals who will accompany the prisoner and with local law enforcement authorities.

The Embassy of the United States takes this opportunity to renew to the Ministry of Foreign Relations of the Republic of Peru the assurances of its highest consideration.

SEP

FOI
ministry that the Government of the United States of
America maintained its interest in extraditing Gutierrez
aramillo and anticipated that the fugitive would remain
incarcerated upon completion of his present sentence to
allow for arrangements to coordinate his transfer to the
United States in the company of U.S. Federal marshals. *Legal*

8
3

SEP 26 '03 12:28

note: These are the documents I have
of the embassy, they are not complete, I hope you
have the other's. 15 more PB.

No. 475

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Relations of the Republic of Peru and has the honor to refer to the Ministry's note number 6-3/03, dated January 13, 1997, in which the Ministry advised the Embassy of the Supreme Court's decision to grant the extradition of Colombian citizen Julio Cesar Gutierrez Jaramillo, for the crime of narcotics trafficking.

The Ministry's Note, referred to Supreme Court Resolution No. 239-96-JUS, which was remitted by the Peruvian Ministry of Justice to the Ministry of Foreign Relations under official memorandum no. 075-JUS/DNJ-DICAJ, dated January 7, 1997. Supreme Resolution No. 239-96-JUS refers to the Supreme Court's August 15, 1996 decision to grant the U.S. Government's extradition request for Gutierrez Jaramillo.

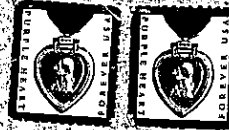
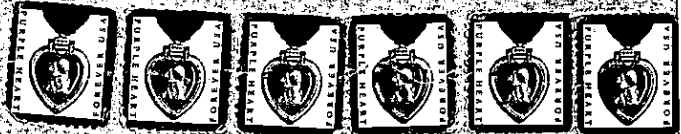
The Embassy wishes to respectfully remind the Ministry that the Ministry's Note, No. 6-3/03, further informed the Embassy that the surrender of the fugitive to U.S. law enforcement authorities had been suspended until the resolution of local narcotics trafficking charges (case number 14-96) and the completion of any imposed sentence.

FEDERAL CORRECTIONAL INSTITUTE

VICTORVILLE, MEDIUM 1

P.O. Box 3725

ADELPHO, CA 92301



United States Courts
Southern District of Texas
FILED

JUL 17 2023

Nathan Ochener, Clerk of Court

CERTIFIED MAIL



7022 0430 0003 5903 8598

OFFICE OF THE CLERK
UNITED STATES COURTHOUSE
SOUTHERN DISTRICT OF TEXAS
515 RUSK STREET, ROOM 5300
HOUSTON TX 77002